

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA**

**THE DELOACH GROUP, INC. d/b/a,
Quastar Computer International,**

Plaintiff,

vs.

**ASHFORD FINANCE, LLC; NOUSHIR
HASAN; CARREFOUR
INFORMATIQUE TREMBLANT, INC.;
CORPORATE FUNDING PARTNERS,
LLC; GANGES EXPORTS USA; MIKE
TONES; AMIN HAQ; BEEM
KHEMANEY; AND JOHN DOES I
THROUGH IV,**

Defendants.

}
}
}
}
}
}
}
}
}
}
}
}
}
}
}
}
}
}

**CASE NO.:
1:11-CV-1678-JOF**

**DEFENDANT CORPORATE FUNDING PARTNERS, LLC's
MOTION TO DISMISS**

COMES NOW, Defendant Corporate Funding Partners LLC, by and through counsel who enter their special appearance for the purpose of filing this Motion to Dismiss.

Corporate Funding Partners, LLC moves this Honorable Court to grant its Motion to Dismiss the Complaint against it on the grounds that:

(1) Corporate Funding Partners is not subject to the personal jurisdiction

of this Honorable Court;

- (2) Corporate Funding Partners, LLC's Motion to Dismiss on the grounds that Venue is improper in this Court, FRCP 12(b)(3);
- (3) Plaintiff's claim of fraud (¶¶ 38-42 of the Complaint) should be dismissed for failing to comply with the requirements of FRCP 9;
- (4) Plaintiff's claim of violations of the Georgia RICO Act (¶¶ 43-45 of the Complaint) should be dismissed for failure to state a claim upon which relief can be granted. More specifically, Plaintiff has failed to allege the required predicate act to support this cause of action;
- (5) Plaintiff's claim for Unjust Enrichment (¶¶ 46-48 of the Complaint) on the grounds that Plaintiff has completely failed to allege anything that has enriched Corporate Funding Partners, LLC;
- (6) Plaintiff's claim for Breach of Contract (¶¶ 49-51 of the Complaint) should be dismissed because Plaintiff's claim is barred by the Statute of Frauds. Plaintiff has no writing signed by Corporate Funding Partners, LLC that is essential to the survival of this cause of action. In addition, Corporate Funding Partners, LLC received nothing from Plaintiff.

WHEREFORE, Corporate Funding Partners, LLC moves this Honorable Court to GRANT its Motion to Dismiss as set forth above and on these grounds as more fully set forth in the attached Brief in Support of Corporate Funding Partners, LLC's Motion.

Respectfully submitted this 13th day of June, 2011.

HIRSH & HEUSER, P.C.

s/Michael R. Hirsh

Michael R. Hirsh, GBN 357220
125 TownPark Drive, Suite 300
Kennesaw, GA 30144
770-420-8224
775-206-2591 (facsimile)
mrhirsh@bellsouth.net
*Special Appearance Counsel for
Corporate Funding Partners, LLC*

LIONEL J. POSTIC, P.C.

s/Lionel J. Postic

Lionel J. Postic, GBN 585603
125 TownPark Drive, Suite 300
Kennesaw, GA 30144
678-283-2256
770-234-4159 (facsimile)
lpostic@mindspring.com
*Special Appearance Counsel for
Corporate Funding Partners, LLC*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 13th day of June, 2011, I electronically filed the foregoing Motion to Dismiss, Brief in Support, Affidavit of Marshall Jablon, Certificate of Compliance, and Proposed Order with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record by transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to receive electronically Notices of Electronic Filing as set forth below.

B. Greg Cline
Georgia Business Law Group
Two Ravinia Drive, Suite 650
Atlanta, GA 30346

Mike Tones
c/o Carrefour Informatique Tremblant
460 Montee Kavahagh
Mont Tremblant, Quebec J8E2P2

Ganges Exports USA
292 Fifth Avenue, Ste. 200
New York, NY 10001

Beem Khemaney
c/o Ganges Exports USA
292 Fifth Avenue, Ste. 200
New York, NY 10001

Carrefour Informatique Tremblant
460 Montee Kavahagh
Mont Tremblant, Quebec J8E2P2

Jonathan C. Brown, Esq.
Greenspoon Marder
Trade Centre South, Suite 700
100 West Cypress Creek Road
Ft. Lauderdale, FL 33309

Amin Haq
c/o Ganges Exports USA
292 Fifth Avenue, Ste. 200
New York, NY 10001

s/Michael R. Hirsh
Michael R. Hirsh

